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Written statement* submitted by the Cairo Institute for Human Rights Studies, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

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* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

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Egypt Human Rights Situation Post the UPR Process

On 5 November 5 2014, the United Nations Human Rights Council held the Universal Periodic Review (UPR) of Egypt. This review assessed the country's human rights record over the past four years. The following statement is an update from the ground on the current human rights situation in Egypt since November 2014. This analysis pays particular attention to the recommendations made by states during the UPR...

The right to freedom of peaceful association was a major focus during the UPR session. While the Egyptian government responded by acknowledging the importance of civil society, in practice the crackdown against independent human rights organizations continued resulting in direct and major repercussions on their work on the ground. An imminent crackdown on civil society organizations was scheduled to take place on November 10, 2014 –only 5 days after the review process. Although the Ministry of Social Solidarity ultimatum to Egyptian NGOs is postponed, the harassment of NGOs continues through several forms. Consequences from this harassment include, some organizations transferring portions of their programs outside the country, while others have decided to shrink their scope of work leading to the downsize of their work force. On the same front, one month following the UPR review of Egypt travel ban was issued against three board of directors for the Egyptian Democratic Academy (EDA) in relation to the foreign funding case of 2011.

On another hand, political control **of the judiciary** has continued to jeopardize the right to free and fair trial. On 2 December2014, the Egyptian court handed down provisional death sentences against 183 defendants allegedly all accused of killing eleven police officers and two civilians during an attack on Kerdassa police station that took place on August 2013. The sentence was labeled by UN experts as a 'profound disgrace'. These mass death sentences were taken after mockery trials where the most basic rights of the defendants were not met. The renewal of the mass death sentence happened amidst a controversial decision to acquit former president Mubarak, his minister of interior and six of his aids of charges of killing protestors during the January 25th uprising.

On 4 February 2015, a judge sentenced Ahmed Doma, a secular activist who was detained on December 2013 - alongside228 other persons to a life sentence as well as a 17 million EGP pound fine. It should be noted that the lawyers' syndicate had decided prior to not allow any of those detained lawyers to be present during the case based questions surrounding the impartiality of the presiding judge..Among the defendants are 8 women, in addition to a female minor among 38 other minors who were sentenced to 10 years imprisonment.

Several human rights defenders have had their trials postponed by the judiciary, thus prolonging unjustifiably their detention. This includes, human rights defender, Ms. Yara Sallam who has been detained since June 2013 because of her humble testimony that she works with a human rights NGO.[1] In the same case, She, among other activists, including activist Ms. Sanaa Seif, were sentenced on 28 December by the Abbasia Appeal Court to 2 years imprisonment and 2 years surveillance.

On 27 October 2013, President Sissy enacted a decree **expanding the jurisdiction of military courts**. The decree is a reincarnation of the infamous Emergency law used by Mubarak to silence his political opponents. The decree was quickly enacted when the Cairo Criminal Court referred five al-Azhar University students to military court on charges related to protests against the Egyptian government. In a similar case, on 25 November, the Tanta Appeals court referred several defendants, including a minor to the military prosecution. The defendants were referred on the charges of protesting without authorization and belonging to the Muslim Brotherhood. This is in clear violation of the Egyptian constitution and international treaties ratified by Egypt that bans both military trials for civilians and the prosecution of

[1] http://eipr.org/en/pressrelease/2014/10/26/2252

children before non-child specialized courts. More recently, on 13 December 2013, Egypt's prosecutor general referred 439 people for trial by a military court on charges linked to their alleged participation in violence that erupted in 2013.These are but a few cases that demonstrate the intention of the Egyptian authorities to increase the mandate and application of military courts over civilians despite official claims of the opposite.

Claims of **enforced disappearances and incommunicado detention** have been on the rise in Egypt, since 3 July 2013. There have been numerous Claims on the several disappearance cases with little to no action or response by the Egyptian authorities. Until now, the fate of seven fishermen who were abducted by security forces on November 11 remains unknown.[2] The Egyptian authorities have employed a practice of forced displacement as a form of collective punishment against communities where suspected terrorists are believed to live. During the month of November 2014, the Egyptian military and police forcibly displaced more than 1,165families from the Rafah area in Sinai as well as demolishing approximately 800 houses. The authorities failed to comply with the basic safeguards of forced eviction under international law; leaving a sense of bitterness towards the state performance in the eastern region of Egypt. The **counter-terrorism strategy** is not limited to incommunicado detentions, forced displacement of people in Rafah and other forms of violations for suspects of alleged crimes of terrorism. The government has also introduced additional draconian legislation to increase its iron fist and prevent accountability for violations. On 26 November, a new draft law was approved by the cabinet of ministers providing the government with unrestricted authority to declare an entity a terrorist organization without proof of the commission of specific crimes enumerated in law for designation.[3] The law is believed to be used essentially –amongst other- to provide the government the power to dissolve political parties and deny political opponents the exercise of their political rights and their vote for up to three years without judicial overview.

While there reports has not been made public, human rights groups have been documenting tens of cases of **deaths among detainees** in places of detentions in Egypt.

. **Arbitrary Arrests and detentions and the right to peaceful assembly** continues to be systematically violated. Protestors are not only being arrested arbitrarily, but also a majority of assemblies, whether political or non-political, are met by excessive use of violence. A flagrant example was on 24 January, when 50-persons-march by the Socialist Popular Coalition Party holding banners and flowers was attacked by the police. During this attack Shaimaa Al-Sabbagh, a female democracy advocate and WHRD, was killed by birdshot bullets.[4]Azza Soliman, Lawyer and the Head of the Trustees Board of the Center for Egyptian Women's Legal Assistance (CEWLA), witnessed the incident and volunteered to testify at the Prosecutor's Office. Immediately following her offer to testify she was charged with participating in a demonstration that jeopardized public security.

39 arrests of students have been documented during the months of November and December alone.[5] Police forces arrested students from demonstrations and other public activities in the universities, while others were arrested from their homes. Arresting students is not the only method utilized to reprehend them for participating in public activities. Scores of students are subjected daily to internal investigations in the universities that most often results in their dismissal from college.[6]

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[2]http://eipr.org/en/pressrelease/2014/11/25/2286
[3]http://www.cihrs.org/?p=10301&lang=en
[4]http://www.cihrs.org/?p=10773&lang=en
[5]https://docs.google.com/spreadsheets/d/1xI2WF9SdZ7FF3qJAdKwl0FNVHY33ylKBMUuJdKkLOdA/edit?usp=sharing
[6]http://afteegypt.org/academic_freedom/2014/11/08/8697-afteegypt.html

In another incident, Police arrested 6 individuals while protesting against the acquittal of formal president Mubarak. 4 of the 6 were acquitted 20days after the arrests.[7]

Arbitrary arrests were not limited to political opponents, on 7 December, police forces arrested 26 men in a public bathhouse in Cairo on charges of engaging in "perversion". Pro-government television showed released images of the semi-naked men being bundled into awaiting police vans. This arrest is the latest in a series of arrests, detentions and public humiliations performed by the Egyptian police to impose *public virtue*. The detainees were later all acquitted by a court for lack of sufficient evidence for debauchery.

On 8 February, the police failed to secure the entrance of a few thousand football fans to attend a football game. This resulted in the tragic death of some 22 people.[8]Among the 22 killed was a14 year-old girl.

Examining the state of **Freedom of Opinion and Expression** in Egypt, we turn to attacks on journalists. . In November alone 12 journalists were assaulted by police forces while covering public events.[9] In December 2 journalists were arrested and currently detained as a result of covering violations by security forces during public protests.[10] On 13 December, the state owned Al-Ahram publishing house confiscated the weekly edition of the Al-Masreyoun newspaper after an objection of security bodies to the content of some of its articles.[11]

Following up on the 2014 UPR of Egypt, a national strategy to combat **violence against women** has been announced in a manner that was neither transparent, nor inclusive. Moreover, despite efforts by feminist groups and NGOs to amend articles 267, 268 and 269 these article still are not inclusive to comprehensive forms of sexual violence being committed in the public space. In regards to accountability, 7 perpetrators of mob-sexual assaults and gang rapes committed on 8 June 2014 have been held accountable, whereas crimes committed since November 2012 have not been investigated. Finally, no provisions of gender budgeting, evaluation and monitoring have been made, nor legislation has been enacted to mandate the regular collection of statistical data and research to ensure an adequate knowledge base for effective implementation and monitoring.

[7] www.cihrs.org /?p=10866&lang=en
[8] www.cihrs.org /?p=10866&lang=en
[9] http://afteegypt.org/law_unit/2014/12/23/8949-afteegypt.html
[10] http://afteegypt.org/media_freedom/2014/12/23/8947-afteegypt.html
[11] http://anhri.net/?p=138978&lang=en